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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP-14572-2023

Date of decision: 12.07.2023

Rajni

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Kshitij Sharma, Advocate for the petitioner.

Ms. Rajni Gupta, Addl. A.G., Haryana
for respondent Nos.1 to 3.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Articles 226/227 of the Constitution of India for issuance of a writ, order or direction in the nature of mandamus directing the respondents to consider the candidature of the petitioner for appointment to the post of Female Constable (General Duty) under BC-B Category in pursuance of Advertisement No.3 of 2018 dated 16.04.2018 (Annexure P-2) and to offer her appointment by adding five marks weightage under 'Orphan' Category.

2. Learned counsel for the petitioner has submitted that for the grievance raised in the present writ petition, the petitioner has given a representation dated 16.06.2023 (Annexure P-9) and she would be satisfied in case the competent authority considers the said representation, in accordance with law, in a time bound manner.

3. Learned State counsel has submitted that even the judgment

dated 16.05.2023 (Annexure P-8) relied upon by learned counsel for the petitioner states that the scrutiny of all the documents of all the candidates is to be carried out, who had applied for either of the five posts under the advertisement in question, claiming 5 additional marks under the orphan category and only those documents which were issued prior to the last date of submission of application forms i.e. 25.10.2018, will be taken into consideration to assess their eligibility. Learned State Counsel has pointed out that in the application (Annexure P-3) in the column as to whether the petitioner is Orphan or not, the petitioner has stated "No". It is further submitted that the petitioner, thus, does not fulfill the criteria but, however, the concerned authority would consider the representation dated 16.06.2023 (Annexure P-9), in accordance with law.

4. Keeping in view the abovesaid facts and circumstances, the present writ petition is disposed of with a direction to the competent authority to consider the representation dated 16.06.2023 (Annexure P-9) as expeditiously as possible, preferably, within a period of six weeks from the date of receipt of certified copy of this order.

5. It is made clear that this Court has not opined on the merits of the case and it would be open to the competent authority to independently considers the representation dated 16.06.2023 (Annexure P-9).

12.07.2023*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:-****Yes/No****Whether reportable:-****Yes/No**